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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/672,933	09/28/2000	David L. Jensen	00AB184	7589

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EXAMINER	
KOSOWSKI, ALEXANDER J	
ART UNIT	**PAPER NUMBER**
2125	3

DATE MAILED: 02/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PRE

Office Action Summary	Application No.	Applicant(s)	
	09/672,933	JENSEN ET AL.	
	Examiner	Art Unit	
	Alexander J Kosowski	2125	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 September 2000*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-34* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-34* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *28 September 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 2.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1) Claims 1-34 are presented for examination.

Claim Objections

2) Claims 10 and 29 are objected to for the following informalities:

Referring to claim 10, the phrase "alterations the database" should read --alterations to the database--.

Referring to claim 29, line 5, the phrase "in the MCC;" should read --in the MCC; and--.

Appropriate correction is required.

IDS

3) Several references in the IDS submitted on 9/29/03 have been crossed off as they cannot be found in the submitted IDS and therefore cannot be considered. Examiner suggests applicant's representative send in a new copy of any of the crossed off references which are wished to be considered accompanying the reply to this office action.

Claim Rejections - 35 USC § 102

4) The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5) Claims 1-3, 5, 8, 10-12 and 14-17 are rejected under 35 U.S.C. 102(e) as being unpatentable by Krivoshein (U.S. Pat 6,449,715).

Referring to claim 1, Krivoshein teaches providing a configurator adapted to reference a database of device data including data representative of programmable devices within the system (col. 16 lines 1-6), assembling a plurality of programmable devices into the system (col. 8 lines 30-33 and col. 14 lines 24-48), placing the programmable devices in communication with the configurator (col. 15 lines 59-67), and transferring portions of the database to each programmable device via the configurator, a portion of the database transferred to each programmable device being unique to the respective device (col. 16 lines 1-32).

Referring to claim 2, Krivoshein teaches the step of creating the database of device data (col. 14 lines 49-54).

Referring to claim 3, Krivoshein teaches that the step of assembling includes final assembly of the system (col. 8 lines 30-33 and col. 14 lines 24-48, whereby it is noted that the motor starters being placed into the system may be considered final assembly).

Referring to claim 5, Krivoshein teaches that the portion of the database transferred to each programmable device includes data identifying the device in the system (col. 15 lines 44-51).

Referring to claim 8, Krivoshein teaches polling each programmable device to access the portion of the database transferred to the devices (col. 18 lines 33-38).

Referring to claim 10, Krivoshein teaches making alterations to the database following the step of transferring and updating the portion of the database transferred to at least one programmable device in accordance with alterations to the database (col. 13 lines 38-59, whereby a user may make alterations to the database and the programmable devices may be reconfigured).

Referring to claim 11, Krivoshein teaches defining a database for a motor control center including component-specific data representative of programmable electrical components comprising the motor control center (col. 8 lines 30-33 and col. 15 lines 44-51 and col. 16 lines 1-6, whereby the remote devices controlled and configured may be motor starters and the system could therefore be considered a motor control center), assembling the components into the system (col. 8 lines 30-33 and col. 14 lines 24-48), placing the assembled components in communication with a configurator, the configurator having access to at least a portion of the component data of the database (col. 15 line 59 through col. 16 line 6), transferring component-specific data from the configurator to respective programmable components and storing the transferred component-specific data in memory of each respective programmable component (col. 16 lines 1-32).

Referring to claim 12, Krivoshein teaches that the programmable devices include at least one motor controller (col. 8 lines 30-33).

Referring to claim 14, Krivoshein teaches that the component-specific data includes data representative of function of the respective components in the motor control center (col. 15 lines 44-51).

Referring to claim 15, Krivoshein teaches that the components of the motor control center are coupled to a data network, and wherein the component-specific data is accessible from the respective components via the network (col. 7 lines 30-56).

Referring to claim 16, Krivoshein teaches that the configurator transfers the component-specific data via the network (col. 15 lines 59-67).

Referring to claim 17, Krivoshein teaches making an alteration to the database regarding at least one component and transferring the alteration to the at least one component via the data network (col. 13 lines 38-59, whereby a user may make alterations to the database and the programmable devices may be reconfigured).

Claim Rejections - 35 USC § 103

6) The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7) Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Krivoshein.

Referring to claim 4, Krivoshein teaches assembling a plurality of programmable devices within a system (col. 8 lines 30-33 and col. 14 lines 24-48). However, Krivoshein does not explicitly teach that transferring portions of the database to each programmable device is at least partially performed prior to final assembly of the system.

It is respectfully submitted that a device may be programmed at any point either before or after final assembly in a system, and the skilled artisan would have found it an obvious modification to transfer portions of the database to each programmable device prior to final assembly within the applications disclosed by Krivoshein with the motivation that transferring data to a programmable device before final assembly would allow a programmable device to be placed anywhere in a system and would not require it to be in full time communications with a network to receive data, which would increase system flexibility.

8) Claims 6-7, 13, 18-19, 20-22 and 24-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krivoshein, further in view of Berglund (U.S. Pat 6,044,411).

Referring to claims 6-7, Krivoshein teaches the method above. However, Krivoshein does not explicitly teach that the portion of the database transferred to each programmable device includes data identifying a physical location of the device in the system, nor that the data identifies a location coordinate and a space occupied by the respective device.

Berglund teaches storing location information in programmable devices to correlate logical devices to their physical location (col. 4 lines 37-52). Berglund also teaches storing data identifying an enclosure location of each programmable component (col. 7 lines 1-11).

Therefore, it would have been obvious to one skilled in the art at the time the invention was made to include data representative of component location coordinate and space when downloading data to programmable components in the method taught by Krivoshein since knowing an exact physical location of a device would allow service personnel to readily correct any problems if a device reports that it is in need of service or replacement (Berglund, col. 3 lines 11-21).

Referring to claim 13, Krivoshein teaches that programmable components are mounted at predetermined locations in the motor control center (col. 8 lines 30-33 and col. 14 lines 24-48, whereby motor starters would need to be mounted in predetermined locations). However, Krivoshein does not explicitly teach that component-specific data includes data representative of locations of the respective components.

Berglund teaches storing location information in programmable devices to correlate logical devices to their physical location (col. 4 lines 37-52).

Therefore, it would have been obvious to one skilled in the art at the time the invention was made to include data representative of component location when downloading data to programmable components in the method taught by Krivoshein since knowing an exact physical location of a device would allow service personnel to readily correct any problems if a device reports that it is in need of service or replacement (Berglund, col. 3 lines 11-21).

Referring to claim 18, Krivoshein teaches defining a database including entries representative of programmable components of a motor control center (col. 8 lines 30-33 and col. 15 lines 44-51 and col. 16 lines 1-6, whereby the remote devices controlled and configured may be motor starters and the system could therefore be considered a motor control center), assembling the programmable components into predetermined locations in the motor control center (col. 8 lines 30-33 and col. 14 lines 24-48), downloading into the programmable components respective entries from the database (col. 16 lines 1-32), the entries including data representative of a component designation (col. 15 lines 44-51), and coupling the components to a data network for access to the downloaded entries (col. 7 lines 30-56). However, Krivoshein does not explicitly teach that the entries include data representative of a component location.

Berglund teaches storing location information in programmable devices to correlate logical devices to their physical location (col. 4 lines 37-52).

Therefore, it would have been obvious to one skilled in the art at the time the invention was made to include data representative of component location when downloading data to programmable components in the method taught by Krivoshein since knowing an exact physical location of a device would allow service personnel to readily correct any problems if a device reports that it is in need of service or replacement (Berglund, col. 3 lines 11-21).

Referring to claim 19, Krivoshein teaches the method above. However, Krivoshein does not explicitly teach that the database entries include coordinate data identifying an enclosure location of each programmable component.

Berglund teaches storing data identifying an enclosure location of each programmable component (col. 7 lines 1-11).

Therefore, it would have been obvious to one skilled in the art at the time the invention was made to store coordinate data identifying an enclosure location of each programmable component in the method taught by Krivoshein since knowing an exact physical location of a device would allow service personnel to readily correct any problems if a device reports that it is in need of service or replacement (Berglund, col. 3 lines 11-21).

Referring to claim 20, Krivoshein teaches that the database entries include data representative of a function of the components in the motor control center (col. 7 lines 30-56).

Referring to claim 21, Krivoshein teaches the database entries include data representative of a wiring configuration of at least one of the components (col. 15 lines 44-51, whereby wiring configurations may be considered information associated with a device, and therefore may be included in the device definitions).

Referring to claim 22, see rejection of claim 4 above.

Referring to claim 24, Krivoshein teaches a database including data representative of function of programmable electrical components in an installation (col. 15 lines 44-51 and col. 16 lines 1-6), and a configurator adapted to access data from the database and to transmit the function data to respective programmable electrical components (col. 16 lines 1-6). However, Krivoshein does not explicitly teach that the database includes data representative of location,

nor that the configurator is adapted to transmit location data to respective programmable electrical components.

Berglund teaches storing location information in programmable devices to correlate logical devices to their physical location (col. 4 lines 37-52).

Therefore, it would have been obvious to one skilled in the art at the time the invention was made to include data representative of location and to transmit location data to programmable electrical components in the system taught by Krivoshein since knowing an exact physical location of a device would allow service personnel to readily correct any problems if a device reports that it is in need of service or replacement (Berglund, col. 3 lines 11-21).

Referring to claim 25, see rejection of claim 4 above.

Referring to claim 26, Krivoshein teaches the system above. However, Krivoshein does not explicitly teach that components are mounted in an enclosure in the installation and that the location data in the database represents a final location of the components within an enclosure.

Berglund teaches storing data identifying an enclosure location of each programmable component (col. 7 lines 1-11).

Therefore, it would have been obvious to one skilled in the art at the time the invention was made to mount components in an enclosure and have location data represenet a location of components in an enclosure in the system taught by Krivoshein since knowing an exact physical location of a device would allow service personnel to readily correct any problems if a device reports that it is in need of service or replacement (Berglund, col. 3 lines 11-21).

Referring to claim 27, Krivoshein teaches that the components are coupled to a data network and the data transmitted to the components is accessible via the data network (col. 7 lines 30-56).

Referring to claim 28, Krivoshein teaches that the configurator is adapted to transmit the data to the components via the data network (col. 15 lines 59-67).

Referring to claim 29, Krivoshein teaches a plurality of programmable MCC components (col. 8 lines 30-33 and col. 15 lines 44-51 and col. 16 lines 1-6, whereby the remote devices controlled and configured may be motor starters and the system could therefore be considered a motor control center), a database including data representative of functions of the components in the motor control center (col. 15 lines 44-51), a configurator adapted to access data from the database, to be coupled to the plurality of components, and to transmit to the components respective data entries representative of functions of the components in the motor control center (col. 16 lines 1-32). However, Krivoshein does not explicitly teach that the database includes data representative of locations of components, nor that the data entries transmitted to components are representative of locations of the components.

Berglund teaches storing location information in programmable devices to correlate logical devices to their physical location (col. 4 lines 37-52).

Therefore, it would have been obvious to one skilled in the art at the time the invention was made to include data representative of location and to transmit location data to programmable electrical components in the system taught by Krivoshein since knowing an exact physical location of a device would allow service personnel to readily correct any problems if a device reports that it is in need of service or replacement (Berglund, col. 3 lines 11-21).

Referring to claim 30, see rejection of claim 4 above.

Referring to claim 31, Krivoshein teaches that the components are coupled to a data network within the MCC (col. 7 lines 30-56).

Referring to claim 32, Krivoshein teaches that data transmitted to the components is accessible from the components via the network (col. 15 lines 59-67).

Referring to claim 33, Krivoshein teaches that the configurator is adapted to transmit the data to the components via the network (col. 15 lines 59-67).

9) Claims 23 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krivoshein, further in view of Berglund, further in view of Heidhues (U.S. Pat 6,032,203).

Referring to claim 23, Krivoshein teaches the system above, whereby entries from a database representative of a component designation are stored (col. 15 lines 44-58). However, Krivoshein does not explicitly teach a data translation module coupled to a downstream device, the module storing entries from the database representative of a location for the downstream device.

Heidhues teaches a motor control system which utilizes a translation module in communication with devices in the system (col. 2 lines 51-65).

Berglund teaches storing location information in programmable devices to correlate logical devices to their physical location (col. 4 lines 37-52).

Therefore, it would have been obvious to one skilled in the art at the time the invention was made to utilize a data translation module in communication with a device not adapted to receive a portion of the database in the method taught by Krivoshein since this would allow

compatibility between various incompatible data formats from different manufacturers (Heidhues, col. 1 lines 62-67).

Therefore, it would also have been obvious to one skilled in the art at the time the invention was made to include data representative of component location when downloading data to programmable components in the method taught by Krivoshein since knowing an exact physical location of a device would allow service personnel to readily correct any problems if a device reports that it is in need of service or replacement (Berglund, col. 3 lines 11-21).

Referring to claim 34, see rejection of claim 23 above.

10) Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Krivoshein, further in view of Heidhues (U.S. Pat 6,032,203).

Referring to claim 9, Krivoshein teaches the method above. However, Krivoshein does not explicitly teach a data translation module in communication with a device not adapted to receive a portion of the database.

Heidhues teaches a motor control system which utilizes a translation module in communication with devices in the system (col. 2 lines 51-65).

Therefore, it would have been obvious to one skilled in the art at the time the invention was made to utilize a data translation module in communication with a device not adapted to receive a portion of the database in the method taught by Krivoshein since this would allow compatibility between various incompatible data formats from different manufacturers (Heidhues, col. 1 lines 62-67).

Conclusion

11) The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Vivers (U.S. pat 5,672,943) – teaches an electronic control apparatus.

White (U.S. Pat 6,480,906) – teaches a concurrent programming apparatus.

Peterson (U.S. Pat 5,788,669) – teaches a pump tracking system.

D'Hooghe, Philippe (Web Reference) – Teaches the use and evaluation of smart MCC equipment.

12) Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander J Kosowski whose telephone number is 703-305-3958. The examiner can normally be reached on Monday through Friday, alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Picard can be reached on 703-308-0538. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. In addition, the examiner's RightFAX number is 703-746-8370.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Alexander J. Kosowski
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